1928

Department of In Suit

OFFICE U D Jail

STATION Mudbidri

Jls **No.** 3119

Dated 24.9.28

F

	Date	Initials
Given for copying		
Copied		
Examined		
Signed		
Given for despatch		
Despatched		
Indexed		
To be destroyed on*		

Pages in the file

SUBJECT.)

Suit – Loan – J. Kanara – Mang
Taluk – Mangalore DC Munsiff
Court – OS 258/1928 – defen
unnecessary – ade

Ref. on A3-6234-28.

South Kanara Collector's Office,
Mangalore, 9th September 1928.

From

C. G. Herbert, Esquire, I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

Sir,

Suits - Mangalore - District Munsif's Court - O.S.No.258/1928.

I enclose a copy of the plaint received by me in the above suit.

The suit has been filed by a certain Mrs. Louisa Rodrigues against one Hassan Kunhi Beary (1st Defendant) and the Secretary of State (2nd Defendant). The Plaintiff claims payment of Rs.1500/- obtained from her by the 1st Defendant on the security of the properties described in the plaint together
ing in all to Rs.2600/- and in default of payment, the sale of the said properties to meet the claim. The Plaintiff has impleaded the Secretary of State in the suit as the property in question along with some other property was, subsequent to the Plaintiff's mortgage, given as collateral security for a Loan of Rs.100/- granted to one Doomalu under the Agriculturists' Loans Act. in Taluk L.O.No.303/33, dated 31st March 1924 for rebuilding a house destroyed by the floods of 1923.

3. The Plaintiff filed a suit notice intimating her intention to file a suit for recovering the amount in question. As the records of the loan case showed that the property tendered as collateral security for the Government loan of Rs.100/- was valued at Rs.13,000/- which is very much more than the loan amount and also the previous ------

encumbrances and as only seven instalments at Rs.12-5-3 were due to Government from the 1st Defendant, the suit notice was recorded.

4. The Plaintiff has now actually filed the suit. In view of the circumstances stated above it seems unnecessary for Government to defend the suit. The Government Pleader, Mangalore whom I consulted is also of this opinion. I solicit the Board's orders in the matter.

5. The notice of suit dated 16th July 1928 was received from the District Munsif on 21st July 1928. The Government Pleader, Mangalore who was consulted on 24th July 1928 sent his reply on 1st September 1928. The suit stands posted to 6th October 1928.

6. The connected records detailed in the margin are enclosed for reference.

---

1. Copy of plaint. 4 3-5
2. Copy of letter dated 24-7-28 to Government Pleader, Mangalore. 16
3. Copy of Government Pleader's reply Ref.No.81/28, dated 30-8-28. 17
4. Huzur D.Dis.1761-28, dated 8-3-28.
5. Records of Taluk L.O.303/33.

Your obedient servant

V.Y. Murthy

Collector.

mgn
10.9.28.

Letter from M.R.Ry. Rao Bahadur B. Mahabala Hegde, Avl., B.A., B.L., Government Pleader and Public Prosecutor, Mangalore.
To the Collector of South Kanara.
Dated-Mangalore, 30th August 1928.
No.- Ref.No.81/28.

****

Your Reference on A3-6234-28, dated 24th July 1928.

****

I am of opinion that under the circumstances stated Government need not defend the suit.

Records sent to me are herewith returned.

Date of Hearing — 6-10-1928

R. F. XXII-A-19.—22,004 1-2-28. (6)

Subject.—

FOR MEMBER.

Mr 2
AS (Secy)

Suit - Loans - S. Kamara - Mangalore Dt - Mangalore Dt Munsif's Court O.S 257/1928 - defence - unnecessary - ord passed

READ AGAIN B. P. No. _____ dated _____ 192 .

" " " _____ " _____ 192 .

READ ALSO :—

Register No. _____, From the _____, No. ~~7~~ 6625, dated _____ 192 ~~8~~

" "_____" " "_____, "_____, "_____192 .

" "_____" " "_____, "_____, "_____192 .

RESOLUTION. Govt No. 3119, dated 24-9-192 8

The Board agrees with the Coll^r that it is unnecessary to defend the Suit

JJH 15-9-28
15-9-28

GP 15/9/28

Govt copies

To the Coll^r of S. Kanara
with (1) Coll^r's dis 1761/28 dt 8.3.28
(2) Taluk file Zo 303/33.

Issue
JJH
24/9/28